

Upper Delaware Council
WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES
March 20, 2012

Committee Members Present: Andy Boyar, Jay Shafer, Al Henry, John McKay (7:11p.m.)
Committee Members Absent: Tony Ritter, Pat Jeffer
NPS Partner: Don Hamilton
Staff: Laurie Ramie, Dave Soete, Cindy Odell
Guests: Scott Rando

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, March 20, 2012 at the Council office in Narrowsburg, NY. The meeting was called to order at 7:02 p.m. The Pledge of Allegiance followed. Boyar noted that business that required no action would be addressed until a quorum could be seated and he reported the Chairperson Ritter had a conflict with a Town of Tusten meeting. There was no public comment on the agenda.

Old Business:

Pond Eddy Bridge Update: Ramie referenced the minutes from the second Pond Eddy Bridge Design Advisory Committee (DAC) meeting held on February 14. She said details about the proposed bridge designs could be found in them and that a structure comparison matrix was included. Ramie reported that after review of the alternatives by the DAC, it was determined that the 3-span steel, dual arch, and dual truss designs be carried forward for further consideration. The next, and tentatively last, meeting of the Design Advisory Committee is scheduled for March 29th at which time one of the three concepts will be chosen. The DOTs have been asked to prepare renderings and alternatives for railings, different embellishments that are possible, pier options, and aesthetic treatments. Soete asked Ramie if she had pictures of the three bridge options. Ramie said a PowerPoint had been e-mailed around and that they were drawings of the three bridge designs that were superimposed at the site.

Upper Delaware Scenic Byway 2/27/12 meeting Update: Ramie covered highlights from the Byway's most recent meeting. A letter had been sent by the Byway to NYS DOT expressing that Route 97 did not receive the same maintenance attention that other highways seem to and that it should given that it is a state-designated scenic byway. Another letter was sent by the Byway to Assemblywoman Gunther asking if she could somehow intervene in this maintenance issue. She wrote back to the Byway and suggested to them, given the financial constraints of the DOT, that they adopt Route 97 in the Adopt-a-Highway program to supplement whatever maintenance efforts the DOT can make. Ramie noted it is basically a matter of not having enough resources and manpower. The Sullivan County residency of the NYS DOT did call UDSB Chairperson Rajsz and told her they are buying a mower which reaches over the guardrails and plan on starting in the Town of Lumberland and going as far north as their resources allow. Ramie sees this as progress. Boyar wondered if other designated byways are also hurting for funding for maintenance.

Ramie reported a state grant for \$25,000 for a marketing campaign did come through with an executed contract on February 7th. The Sullivan County Visitors Association is working with the Byway organization to get reimbursement for the print ads that have already been placed.

Discussion about Sullivan County's plan for a technology upgrade to extend cell phone service and broadband took place. They are looking to have an experimental project that will involve the Route 97 area and the river corridor. Engineering firms submitted design idea bids. Since the Byway meeting, they have selected a firm that they are going to pursue. This is a grant project they have for the technology upgrade. The Byway is happy they are paying attention to the river corridor area as there are obviously gaps in cell phone service. Ramie said the firm has been hired to present their ideas and make recommendations on how the upgrade could happen, such as whether there should be a succession of cell towers and where they should be located for the most effective coverage. She noted the problem is always the topography of this area.

The Byway was presented with a certificate from *The River Reporter's* "Best of..." contest for Route 97 being voted by the public as the "Most Scenic Drive" for 2011.

Ramie reported that the Scenic Byway visitor's center is still hanging out there in conceptual land since the location in the Federal Transportation Funding Bill needs to be changed from Cochection to Narrowsburg. The Byway has decided to try to find out who the chair of the congressional committee that oversees earmarks is and write a letter to explain the situation, how easy it would be to make the technical language change, and how much they would appreciate that being done.

Ramie referenced a letter in members' packets to the National Park Service from the Byway concerning the Pond Eddy Bridge. The Byway is asking the Park Service to maintain the recreational value of the river noting that the causeway that will be built for construction of a new bridge will affect boating traffic. The Byway objects to the closure of this particular section of the river and is looking for Park Service support. She noted the letter contains the full explanation of the Byway's concerns.

The next meeting of the Upper Delaware Scenic Byway will be Monday, March 26th at 7:00.

Hamilton asked if the causeway for the Pond Eddy Bridge would be in place for two seasons. Ramie said that every one of the nine design options have a construction duration of 15 – 24 months so it would depend on the design that is ultimately chosen. It was said that a safe bet is that construction will take two seasons. Henry thought he recalled hearing that construction was not going to necessitate a river closure. Ramie thought a river closure had always been the plan because of the fact that it is one-lane of traffic on the existing bridge and there is nowhere on the Pennsylvania side of the river to stage the equipment. She noted the causeway is supposed to be a fairly low one and that is what may impede the river flow under it. Discussion about the causeways built during construction of the Shohola-Barryville Bridge took place. Much discussion took place about the concerns of the possibility of boaters having to portage around the proposed causeway. Henry said he feels the Park Service and UDC's concern should be with public safety if this causeway is put in place and boaters do need to portage around. Boyar feels we should request information about this matter. Soete noted the reference to a full-length causeway on the bottom of page three of the meeting minutes. Discussion about different options for portaging took place. Boyar asked if the DAC February 14th meeting minutes get posted. Ramie said not currently.

At this point Boyar suggested since there was now a full quorum to approve the February 21 meeting minutes. A motion to approve the February 21 meeting minutes was made by Shafer, seconded by Henry and carried unanimously.

Henry suggested the UDSB might look into work release programs for help with clean-up along Route 97. Ramie noted the concern with Route 97 was more with vegetative control as opposed to trash pick-up. Discussion as to whether the work release program was still in effect took place.

Local Waterfront Revitalization Plan 3/12/12 meeting Update: Ramie reported there was a meeting on March 12th to conduct interviews of two of the four firms who had submitted bids to provide consulting services for the Local Waterfront Revitalization Plan for the Upper Delaware River. The decision was made to contract with Synthesis, LLP/Laberge Group based in Schenectady, NY. They will be tasked with facilitating a regional charette, focus groups, and public workshops to find out from people what they are interested in having in this Local Waterfront Revitalization Plan and producing a final report. They have proposed to do this in three weeks. Ramie read a line from their cover letter which said, "With today's trends towards waterway recreation, waterfront development and ecotourism, the LWRP for this region of the Upper Delaware River comes at an excellent time.....our team would seek to greatly strengthen the river corridor's downtown/village and hamlet center connections to the riverfront in a way that would help target the interests of the many canoe/kayak recreationists and rafters that currently pass by the riverfront communities, transforming these economic and community centers in to riverfront destinations and capitalizing on the economic development possibilities."

Upper Delaware River Roundtable 3/15/12 meeting Update: Ramie noted that this meeting usually takes place in advance of our UDC meeting every other month, but was postponed due to weather this month and rescheduled for March 15. The topic of the meeting was agriculture. There was a presentation by a representative from Sussex County, NJ of their farmland preservation program. Most of the meeting consisted of going around the table and hearing from the many farming interests represented, and explaining what programs are available for the agricultural community. Ramie said there are all sorts of farming groups and campaigns underway, such as the "Shop Local, Save Land" that the Delaware Highlands Conservancy has and a number more that she listed. She said they described what organized activities are out there for support and advocacy on behalf of the agricultural community. Ramie said the meeting was well-attended and she would guess there was approximately 30 – 40 people there.

Other: None

New Business:

DRBC State Funding Deficits: Ramie referenced two newsletter articles, one from a New York paper and one from a Pennsylvania paper, provided in members' packets concerning DRBC funding. She felt that since this issue has been raised before by UDC members, they may be interested in having the UDC write letters to both Pennsylvania and New York to draw attention to the fact that neither state is contributing its fair share to the Delaware River Basin Commission. The numbers stated in the articles have been confirmed to us by the DRBC. An e-mail had been sent to Rich Gore, their Chief Fiscal Officer, and he verified that Pennsylvania has cut its payments by 40.7% and New York is only going to pay about 40% of its agreed-upon share. The DRBC is concerned they are not going to have enough money for services. Ramie said she looked back in UDC records and this issue has come up over the years that DRBC funding is threatened. She noted that letters were written from the UDC in 2002 and 2004, but in both cases, the letters were about the federal funding being threatened to be pulled and were sent to Congressman Hinchey at the time. She said that we could send similar letters to the Governors of both New York and Pennsylvania on behalf of the DRBC. Boyar said from his perspective, the DRBC is both an ally and a related agency to help address important issues. He feels that someone needs to speak up for them. He questioned if the committee would be comfortable adopting a motion to authorize the drafting of letters to be presented at the April full council meeting for approval, to be sent to the state governors. Henry questioned if it is true, as stated in one of the articles, that the federal government has not contributed. Ramie said that has been the case for a number of years as the article points out. Henry suggested that if these letters are going to be sent, we may want to mention to the states of Pennsylvania and New York the fact that they've short-changed the Council forever for their contribution. He added that the River Management Plan indicates funding for the UDC of \$100,000 per year from both states. He feels if we are going to bat for the DRBC, we should bring it to their attention they have never funded the Council since it has been established. Henry made a motion to send two letters to each state, one concerning the DRBC issue and one addressing our very own lack of funding from the state. Shafer seconded the motion. Boyar said it would be nice to let them know how we feel, that we do some important work here and we could do better if we were funded to the extent that the states originally committed. Boyar asked staff to develop the letters for consideration by the full Council in April. The motion was carried unanimously.

Other: Ramie said there was a handout, *NYC seeks no-drilling zone in Sullivan (and Delaware County)*, that Chairperson Ritter asked be provided to members. The handout contains links that members could follow to obtain more information.

A second handout was a letter from Eagle Creek Renewable Energy. Ramie said it is the transmittal letter for the Rio Hydroelectric Project application for Non-Capacity Related License Amendment. The letter informed us that there is a period of 90 days to provide comments to Eagle Creek regarding the draft application which can be viewed in its entirety at www.eaglecreekre.com. Boyar said that his only question is that if you are going to generate power, what effect does it have on the water temperature. McKay noted the letter states that according to a letter from the U.S. Fish and Wildlife Service, impacts to the fish and wildlife habitat at the site should be negligible. Soete said that he and Hamilton brought the issue up at the public hearing they had for the agencies. It is his understanding that there is to be continuous monitoring of the oxygen level and temperature. Much discussion about the flows and temperatures of the Mongaup River took place. Hamilton reiterated that they are supposed to monitor the temperature and meet certain requirements and he believes they can adjust for changes if they need to. Boyar said he feels it is great to be generating hydropower as long as there are no measurable impacts to the fisheries. Henry questioned if anyone had read the U.S. Fish and Wildlife Service letter referenced in the letter. He suggested it may be worthwhile to get a copy of it. Soete said he believes it is available on the website. Hamilton said he would take a look and see if he could find the letter.

Boyar asked if the committee wanted to take any action concerning the portaging of boaters should a causeway be constructed for the proposed Pond Eddy Bridge or wait. Ramie noted the next Design Advisory Committee is scheduled for March 29th and if they wanted to address anything to the project

team, that would probably be the time to do it. Henry questioned if the Park Service has been in attendance at these meetings. Ramie said they have, that McGuinness represents them and she represents the Upper Delaware Council. Shafer suggested Ramie and McGuinness both question this issue at the next meeting. Ramie noted the Park Service is already in receipt of a letter from the Upper Delaware Scenic Byway regarding the concern of the river being closed to recreation traffic. McKay questioned if the engineers that determined the existing bridge is not able to be rehabilitated were Penn DOT engineers or if an outside firm had been consulted. Boyar said these are some of the issues being raised now. He added that NYS Senator John Bonacic is corresponding with the NYS DOT to ask questions including the rehabilitation option. Soete said he recalls that an outside consultant, who was hired by Penn DOT, was used. Discussion about repairs made to the Pond Eddy Bridge and load limits took place. Options to constructing a new bridge were discussed. The fact that the cost of construction of a new road on the Pennsylvania side would fall solely on Pennsylvania taxpayers was also discussed as well as where such a road could be constructed. Henry feels we need to look forward and build a bridge in the least costly manner. He noted however that the least costly design proposed has four piers and he cautioned that the higher the number of piers in the river, the greater the concerns are during flooding. Discussion about the conditions of other bridges over the Delaware took place. Henry talked about the drawings presented in the PowerPoint presentation that covered possible design options for replacement of the bridge and noted he was not aware there was a \$7.7 million option as he has only heard the figure \$12 million. Ramie said the DAC seemed more inclined to go for a signature style as they are trying to mitigate the demolition of a historic structure, so they want something that is epic there.

Public Comment: None

Adjournment: A motion by McKay, seconded by Henry to adjourn the meeting at 7:54 p.m. was carried.

Minutes prepared by Cindy Odell, 3/26/12